

REMARKS/ARGUMENTS

Claims 1-44 are pending in this application. By this Amendment, the drawings, Abstract, specification and claims 1-12, 14-31 and 33-38 are amended, and claims 39-44 are added. Support for the claims can be found throughout the specification, including the original claims and the drawings. Withdrawal of the rejections in view of the above amendments and the following remarks is respectfully requested.

I. Rejections Under 35 U.S.C. §103(a)

The Office Action rejects claims 1-7, 9-15, 18-34, 37 and 38 under 35 U.S.C. §103(a) over German Patent No. 36 44 053 (hereinafter “DE ‘053”) or German Patent No. 36 04 673 (hereinafter “DE ‘673”) in view of either Lowe, U.S. Patent Publication No. 2004/026552 (hereinafter “Lowe”) or U.S. Patent No. 6,240,954 to Bereznai (hereinafter “Bereznai”). The rejection is respectfully traversed.

Independent claim 1 is directed to a dishwasher that includes an inlet valve assembly. Independent claim 1 recites that the inlet valve assembly comprises a case provided at an inlet supply passage that supplies water to the tub, wherein the case comprises an inlet opening through which water flows into the case, and an outlet opening through which water is discharged from the case. Independent claim 1 also recites a first valve provided in the case and configured to selectively open and close a passage formed in the case, and a second valve provided in the case and configured to close the passage when a leak is detected. Independent claim 20 recites similar features in varying scope. As acknowledged in the Office Action, DE

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'053 and DE '673 each disclose dishwashers having a tub provided in a housing, an injector assembly, and some type of valve assembly. However, neither DE '053 nor DE '673 disclose or suggest a valve assembly as recited in independent claims 1 and 20.

DE '053 discloses a household appliance 2 including housing 3, and a tub 1 mated to the housing 2 at an edge 5 thereof to catch leaked water. A protective cover 6 surrounds a series of functional units 4 to protect the functional units 4 from water collected in the tub 1. A leaked water sensor L senses water in the tub 1, and the functional units 4 control operation of the appliance 2 to maintain a level of water below an upper threshold 7 within the protective cover 6, and below a security level S in the tub 1. DE'053 neither discloses nor suggests that the appliance 2 includes any type of valve assembly at all, let alone a valve assembly as recited in independent claims 1 and 20.

DE '673 discloses a dishwasher 1 in which a supply of water from a tap 4 into the dishwasher 1 is controlled by a single electromechanical valve 5/6 housed within a housing 16, through a demand tube 7, and into a sump 12. A level guard 19 monitors a level of water accumulated in a bottom of a tub 2. DE '673 neither discloses nor suggests a second valve configured to close a passage when a leak is detected, as recited in independent claims 1 and 20.

Further, Lowe and Bereznai each fail to overcome the deficiencies of DE '053 and DE '673.

The present application was filed in the U.S. on November 26, 2004, claiming priority to a corresponding application filed in Korea on November 28, 2002. The Lowe publication was

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filed in the U.S. on January 26, 2004, as a Continuation-in-part of Application No. PCT/AU0-2/00988 filed on July 25, 2002. It is noted that the November 26, 2003 U.S. filing date of the present application clearly pre-dates the January 26, 2004 U.S. filing date of the Lowe publication. Thus, only subject matter supported by the Lowe PCT application may be relied upon in a rejection of the present application. A copy of the Lowe PCT application is provided herewith for the Examiner's convenience.

The Lowe PCT application discloses a shut off valve assembly 50, including a body 52 having two inlets 64 and one outlet 65. A valve member 54 and sealing member 68 move between a shielded position, in which the a passage of water is unobstructed between the inlets 64 and the outlet 65, to an unshielded position in which the flow of water through the assembly 50 forces the sealing member 68 against a valve seat 53 to seal the outlet 65 and restrict the flow of water out of the valve assembly 50. Lowe neither discloses nor suggests first and second valves provided in the case, as recited in independent claims 1 and 20. Additionally, Lowe simply discloses that a hold is released on the valve member 54 to seal the outlet 65 in response to a signal from a sensor indicating that a level of fluid in a container is filled. Lowe neither discloses nor suggests that the valve member 54 closes off the outlet 65 when a leak is detected, as does the second valve recited in independent claims 1 and 20.

Further, it is respectfully submitted that there would have been no motivation to combine the shut off valve assembly 50 disclosed by Lowe with either DE '053 or DE '673, nor that such an improper combination would result in a dishwasher with a valve assembly as recited in

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independent claims 1 and 20. More specifically, as set forth above, DE '053 neither discloses nor suggests that the appliance 2 includes any type of valve assembly, and thus incorporating the shut-off valve assembly 50 disclosed by Lowe into this appliance 2 would still not yield a dishwasher including a valve assembly that has first and second valves provided in a case, let alone a second valve that closes off a passage when a leak is detected, as recited in independent claims 1 and 20.

Additionally, the electromechanical valve 5/6 disclosed by DE '673 and the shut off valve assembly 50 disclosed by Lowe are completely different types of valves, each requiring unique structure to support the manner in which they function. The shut off valve assembly 50 disclosed by Lowe could not easily be adapted, either physically or functionally, to share the housing 16 in which the electromechanical valve 5/6 disclosed by DE '673 is housed, nor would there be any reasonable expectation of success if such an adaptation were made.

Bereznai discloses a valve assembly including a valve 2 activated by a balance float 1. The valve 2 includes a pressure chamber 21 and an outlet chamber 22, with a passage 20 extending through both chambers 21, 22 to allow water to pass therethrough. The balance float 1 floats on water accumulated in a receptacle 4, and an ascension of the balance float 1 causes a piston head 24 to move so as to seal off a central portion of the passage 20 through a commensurate movement of a link 5, lever 31 and valve shaft 25. Bereznai neither discloses nor suggests first and second valves, let alone that such a second valve which closes off the passage 20 when a leak is detected, as does the second valve recited in independent claims 1 and 20.

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Further, it is respectfully submitted that there would have been no motivation to combine the valve 2 disclosed by Bereznai with either DE '053 or DE '673, nor that such an improper combination would result in a dishwasher with a valve assembly as recited in independent claims 1 and 20. More specifically, as set forth above, DE '053 neither discloses nor suggests that the appliance 2 includes any type of valve assembly, and thus incorporating the valve 2 disclosed by Bereznai into this appliance 2 would still not yield a dishwasher including a valve assembly that has first and second valves provided in a case, let alone a second valve that closes off a passage when a leak is detected, as recited in independent claims 1 and 20. Additionally, the electromechanical valve 5/6 disclosed by DE '673 and the valve 2 disclosed by Bereznai are completely different types of valves, each requiring unique structure to support the manner in which they function. The valve 2 disclosed by Bereznai could not easily be adapted, either physically or functionally, to share the housing 16 in which the electromechanical valve 5/6 disclosed by DE '673 is housed, nor would there be any reasonable expectation of success if such an adaptation were made.

For at least these reasons, it is respectfully submitted that independent claims 1 and 20 are allowable over the applied combination, and thus the rejection of independent claims 1 and 20 under 35 U.S.C. §103(a) over DE '053 or DE '673 in view of either Lowe or Bereznai should be withdrawn. Dependent claims 2-7, 9-15, 18, 19, 21-34, 37 and 38 are allowable at least for the reasons set forth with respect to independent claims 1 and 20, from which they respectively depend, as well as for their added features.

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The Office Action rejects claims 8, 16-18, 35 and 36 under 35 U.S.C. §103(a) over DE '053 or DE '673 in view of either Lowe or Bereznai, and further in view of U.S. Patent No. 4,025,237 to French. The rejection is respectfully traversed.

Dependent claims 8, 16-18, 35 and 36 are allowable over DE '053, DE '673, Lowe and Bereznai at least for the reasons set forth above with respect to independent claims 1 and 20, from which they respectively depend, as well as for their added features. Further, French is merely cited as allegedly teaching a magnet, and thus fails to overcome the deficiencies of DE '053, DE '673, Lowe and Bereznai. Accordingly, it is respectfully submitted that claims 8, 16-18, 35 and 36 are allowable over the applied combination, and thus the rejection of claims 8, 16-18, 35 and 36 under 35 U.S.C. §103(a) over DE '053, DE '673, Lowe and Bereznai should be withdrawn.

II. New Claims 39-44

New claims 39-44 are added to the application. It is respectfully submitted that new claims 39-44 also define over the applied prior art references, and meet the requirements of 35 U.S.C. §112.

III. Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned, Joanna K. Mason, at the telephone number listed below.

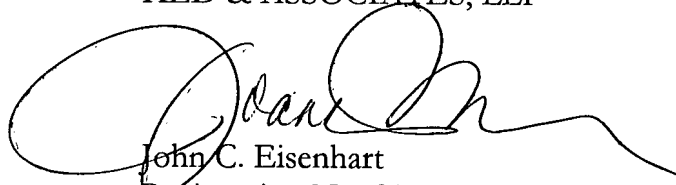
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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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Amendments to the Drawings:

The attached drawings include changes to Figs. 4 and 5B. These sheets, which include Figs. 4 and 5B, replace the original sheets including Figs. 4 and 5B. In Fig. 4, the reference line associated with reference numeral 120 has been repositioned. In Fig. 5B, previously omitted reference numeral 113 has been added.

Attachments: Replacement Sheets (2)

Annotated Sheets Showing Changes (2)

FIG. 4

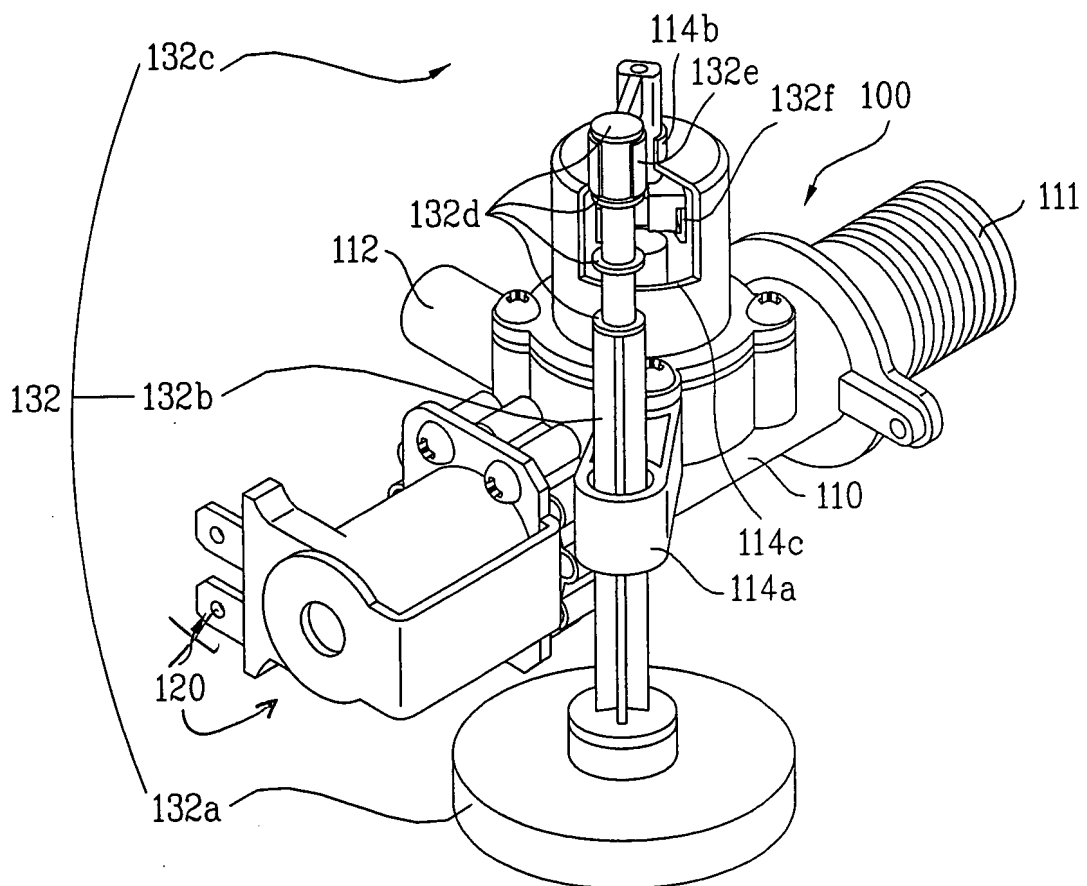


FIG. 5B

